

BOARD OF ZONING APPEALS

CITY OF MILWAUKEE

REGULAR MEETING – May 24, 2001
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairman: Craig H. Zetley (*voting on items 1-55*)

Members: Henry P. Szymanski (*voting on items 1-55*)
Scott R. Winkler (*voting on items 1-36, 38-55*)
Catherine M. Doyle (*voting on items 1-34, 36-49, 51-55*)
Roy B. Nabors (*voting on items 1-55*)

Alt. Board Members: Georgia M. Cameron (*voting on items 35, 37*)
Donald Jackson (*voting on item 50*)

START TIME: 4:37 p.m.

End Time: 8:40 p.m.

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u> | <u>Premises Address/Ald. Dist.</u> |
|-----------------|--------------------------------|---|------------------------------------|
| 1 | 23525 Special Use | Jacques' French Cafe', Deli, Market Jacques Chaumet; Lessee | 1101 S. 2nd St. 12th Dist. |
| | | Request to occupy the premises as a cafe', deli and market. | |
| | Action: | Granted 10 yrs. | |
| | Motion: | Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. | |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u> | <u>Premises Address/Ald. Dist.</u> |
|-----------------|--------------------------------|--|------------------------------------|
| 2 | 23538 Special Use | Noel Martin, Property Owner Request to continue occupying the premises as a motor vehicle detailing, repair and sales facility. | 1501 W. Mitchell St. 12th Dist. |
| | Action: | Granted 10 yrs. | |
| | Motion: | Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. There is no outdoor storage of tires, auto parts, nuisance vehicles or other junk and debris. 5. That no work or storage of vehicles occurs in the public right of way. 6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. | |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u> | <u>Premises Address/Ald. Dist.</u> |
|-----------------|--------------------------------|--|---------------------------------------|
| 3 | 23551 Special Use | <p>Illustria Salon Karlabeth K. Beste; Prospective Buyer</p> <p>Request to occupy the premises as a beauty salon.</p> | <p>1200 S. 1st St. 12th Dist.</p> |
| | Action: | Granted 10 yrs. | |
| | Motion: | Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p> | |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u> | <u>Premises Address/Ald. Dist.</u> |
|-----------------|--------------------------------|---|------------------------------------|
| 4 | 23509 Special Use | National Energy Properties LLC Prospective Buyer Request to construct a type 'B' restaurant with a 24 hr. drive through on the premises. | 4950 S. 27th St. 13th Dist. |
| | Action: | Granted | |
| | Motion: | Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That directional signs and pavement marking be installed to indicate the one-way pattern. 5. That site illumination is controlled to prevent glare onto adjacent streets and residences. 6. That a district boundary line extension is granted to extend the Local Business boundary line 19 feet to the East. 7. That this Special Use and this Variance are granted for a period of ten (10) years, commencing with the date hereof. | |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u> | <u>Premises Address/Ald. Dist.</u> |
|------------------------|-----------------------------------|--|---|
| 5 | 23539 Dimensional Variance | Michael L. Frommholz Property Owner Request to construct a detached garage in the side setback of the premises. | 2108 W. Henry Av. 13th Dist. |
| | Action: | Granted | |
| | Motion: | Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. | |
| 6 | 23549 Dimensional Variance | Mark A. Strothenke, Property Owner Request to construct a shed in the side yard setback. | 5368 S. 14th St. 13th Dist. |
| | Action: | Granted | |
| | Motion: | Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. | |

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|-----------------|----------------------------------|--|------------------------------------|
| 7 | 23552 Dimensional Variance | Edward Cessna Property Owner Request to construct a two car garage on the premises. | 1462 W. Granada St. 13th Dist. |
| | Action: | Granted | |
| | Motion: | Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. | |

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|-----------------|----------------------------|---|--|
| 8 | 23527 Special Use | KR Design and Communication Cindy Lois; Lessee Request to occupy a portion of the premises as an office. | 2163 S. Kinnickinnic Av. A/K/A 2163-65 S. Kinnickinnic Ave. 14th Dist. |
| | Action: | Granted 10 yrs. | |
| | Motion: | Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening plans are upgraded to meet the intent of s.295-75.2.</p> <p>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</p> <p>6. That signage is limited to the sign band above the storefront windows.</p> <p>7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p> | |
| 9 | 23528 Use Variance | Ameritech Denise Waite, Right of Way MGR; Other Request to construct a telecommunications vault in the required side yard setback of the school. | 3009 S. 10th St. A/K/A 1016 W. Oklahoma Ave. 14th Dist. |
| | Action: | Adjourned | |
| | Motion: | This item was adjourned at the request of the alderman and will be rescheduled at next available hearing. | |

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|-----------------|----------------------------------|--|------------------------------------|
| 10 | 23546 Dimensional Variance | Steven P. Hejdak Property Owner Request to construct a 2-car attached garage on the premises. | 3416 S. 8th St. 14th Dist. |
| | Action: | Granted | |
| | Motion: | Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. | |

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|-----------------|-------------------------------|--|--|
| 11 | 23507 Special Use | Big Bend Development, LLC Prospective Buyer Request to construct a health clinic on the premises. | 7371 N. 107th St. A/K/A 7365 N. 107th St. 15th Dist. |
| | Action: | Granted 10 yrs. | |
| | Motion: | Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the sign area for the proposed monument sign is limited to a maximum of 40 square feet. 5. That finalized landscaping and screening plans are approved by the Planning Administration Section of the Department of City Development prior to the issuance of any permits. 6. That this Special Use and these variances are granted for a period of ten (10) years, commencing with the date hereof. | |
| 12 | 23565 Dimensional Variance | Jeffery Schaut Property Owner Request to construct a garage on the premises. | 7516 N. 107th St. 15th Dist. |
| | Action: | Granted | |
| | Motion: | Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. | |

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|------------------------|-----------------------------------|---|--|
| 13 | 23529 Dimensional Variance | <p>Unis Matthews, Property Owner</p> <p>Request to construct an addition to the existing single family dwelling unit.</p> | 4621 N. 30th St. 1st Dist. |
| | Action: | Granted | |
| | Motion: | Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the petitioner build in accordance with plans submitted.</p> <p>4. That this Variance is granted to run with the land.</p> | |
| 14 | 23540 Use Variance | <p>Mr. Stereo</p> <p>Ibrahim Mahmoud; Lessee</p> <p>Request to continue occupying the premises for the sale of stereo equipment and installations.</p> | 5040 W. Fond du Lac Av. 2nd Dist. |
| | Action: | Adjourned | |
| | Motion: | This item was adjourned at the request of the alderman and will be rescheduled at the next available hearing. | |
| 15 | 23563 Dimensional Variance | <p>Bell Therapy, Inc</p> <p>Ms. Tracy Oerter; Property Owner</p> <p>Request to continue occupying the premises as a Community Based Residential Facility (CBRF).</p> | 6105 W. Keefe Avenue Pk. A/K/A 6105-07 W. Keefe Avenue Pkwy. 2nd Dist. |
| | Action: | Adjourned | |
| | Motion: | This item was adjourned at the request of the alderman and will be rescheduled at the next available hearing. | |

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|-----------------|--------------------------------|---|------------------------------------|
| 16 | 23557 Use Variance | Luis Feliciano, Property Owner Request to occupy the premises as a Type 'A' restaurant. | 3272-74 N. Holton St. 3rd Dist. |
| | Action: | Granted 10 yrs. | |
| | Motion: | Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel.</p> <p>5. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.</p> | |

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|-----------------|--------------------------------|---|--|
| 17 | 23511 Special Use | <p>Carol Ann Meverden, Council President Redeemer Lutheran Church; Property Owner</p> <p>Request to occupy the premises as a church, charter school, and day care center for up to 45 children, ages 3-6, from 7:00 AM to 6:00 PM.</p> | <p>631 N. 19th St. A/K/A 1905-15 W. Wisconsin Ave. 4th Dist.</p> |
| | Action: | Granted 10 yrs. | |
| | Motion: | Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petition obtains a Certificate of Occupancy and complies with all State commercial code requirements for day cares.</p> <p>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p> | |

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|------------------------|---------------------------------------|---|---|
| 18 | 23559 Use Variance | Nancy Anne Sachs, DDS c/o Cynthia Borlen d/b/a Lisbon Court Taylor; Property Owner Request to continue occupying the lower level of the premises as a tailor shop. | 9320 W. Lisbon Av. 5th Dist. |
| | Action: | Granted 10 yrs. | |
| | Motion: | Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof. | |
| 19 | 23534 Special Use | Charles P. Bucolt/Mike Cardo Property Owner Request to continue occupying a portion of the 2nd floor as a social service facility with an expansion of services (training/offices) to a portion of the 1st floor. | 4200 N. Holton St. 6th Dist. |
| | Action: | Granted 10 yrs. | |
| | Motion: | Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. | |

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|-----------------|----------------------------|--|---|
| 20 | 23514 Special Use | Michael Dills Dills Childcare Center; Lessee Request to occupy the premises as a day care center for 20 children, ages 1-6 years, from 6 AM to 6 PM. | 2979 N. 17th St. A/K/A 2977-79 N. 17th St. 7th Dist. |
| | Action: | Granted 3 yrs. | |
| | Motion: | Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage is limited to a maximum of 17.5 sq. ft. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. | |
| 21 | 23550 Use Variance | P & P Plumbing Company Pierre & Crystal Presley; Lessee Request to occupy a portion of the premises as a contractor's shop. | 5723-25 W. Burleigh St. A/K/A 5719,23&25 W. Burleigh St 7th Dist. |
| | Action: | Granted 3 yrs. | |
| | Motion: | Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of three (3) years, commencing with the date hereof. | |

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|-----------------|----------------------------------|--|--|
| 22 | 23564 Dimensional Variance | Bell Therapy, Inc. Ms. Tracy Oerter; Property Owner Request to continue occupying the premises as a Community Based Residential Facility (CBRF). | 3149 N. Sherman Bl. A/K/A 3149-51 N. Sherman Blvd. 7th Dist. |
| | Action: | Granted 10 yrs. | |
| | Motion: | Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof. | |
| 23 | 23555 Special Use | Sprint Spectrum, L.P. Request to construct a new 77 ft. monopole transmission tower. | 3900 W. Canal St. A/K/A 4000 W. Canal St. 8th Dist. |
| | Action: | Granted 10 yrs. | |
| | Motion: | Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the barbed wire proposed at the top of the fence enclosure is eliminated. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. | |

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|-----------------|--------------------------------|--|------------------------------------|
| 24 | 23531 Special Use | Thomas G. Ratas, Property Owner Request to continue occupying the premises as a wholesale trade (liquor) facility. | 8333-B W. Morgan Av. 11th Dist. |
| | Action: | Adjourned | |
| | Motion: | This item was adjourned at the request of a neighbor and will be rescheduled at the next available hearing. | |
| 25 | 23558 Use Variance | Redeemer Evangelical Free Church Property Owner Request to construct a parking lot with parking spaces in the side setbacks and front yard. | 7735 W. Howard Av. 11th Dist. |
| | Action: | Granted | |
| | Motion: | Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. | |

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|-----------------|----------------------------------|--|--|
| 26 | 23530 Dimensional Variance | MSDOC 1 LLC Herb Illman, President; Prospective Buyer Request to construct a retail and office building on the premises without the minimum number of parking spaces required. | 627 W. Historic Mitchell St. A/K/A 621-33 W. Historic Mitchell St. & 1714 S. 7th St. 12th Dist. |
| | Action: | Granted | |
| | Motion: | Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. | |
| 27 | 23526 Special Use | Eddy's-One Stop Electronics Eddy Rodriguez; Property Owner Request to continue occupying the premises as a motor vehicle repair facility (installation of electronic equipment) with the addition of tire sales and installation. | 1577 W. Greenfield Av. 12th Dist. |
| | Action: | Adjourned | |
| | Motion: | Scott Winkler moved to adjourn the appeal. Seconded by Catherine Doyle. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u> | <u>Premises Address/Ald. Dist.</u> |
|-----------------|--------------------------------|--|------------------------------------|
| 28 | 23547 Special Use | Isla Gas Inc., D/B/A Penz Mart Harbhajan Singh; Property Owner Request to continue occupying the premises as a motor vehicle pumping station with a convenience store and increase the hours of operation to 24 hours per day. | 1225 W. Lincoln Av. 12th Dist. |
| | Action: | Granted 5 yrs. | |
| | Motion: | Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel.</p> <p>5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p> | |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u> | <u>Premises Address/Ald. Dist.</u> |
|-----------------|----------------------------------|---|--|
| 29 | 23504 Dimensional Variance | Salvatore Purpero, Property Owner Request to construct an addition to an existing manufacturing building in the required setback area. | 851 W. Grange Av. A/K/A 849-51 W. Grange Ave. 13th Dist. |
| | Action: | Granted 10 yrs. | |
| | Motion: | Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That no trucks parked on the premises idle between the hours of 7:00 p.m. and 7:00 a.m.</p> <p>5. That the site is landscaped and screened according to the plans submitted.</p> <p>6. That these Variances are granted for a period of ten (10) years, commencing with the date hereof.</p> | |
| 30 | 23481 Special Use | Allen Barian Lessee Request to erect a two-sided drive through coffee kiosk on the southeast corner of the premises. | 5804 W. Bluemound Rd. 16th Dist. |
| | Action: | Adjourned | |
| | Motion: | Henry Szymanski moved to adjourn the appeal. Seconded by Scott Winkler. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u> | <u>Premises Address/Ald. Dist.</u> |
|-----------------|--------------------------------|--|--|
| 31 | 23570 Special Use | Southeastern Youth & Family Services, Inc. d/b/a Southeastern Alternative School; Prospective Buyer Request to remodel and occupy the 1st floor of the premises as an alternative middle school (6th, 7th, and 8th grades). | 4050 N. 34th St. A/K/A 4040-4054 N. 34th St. 1st Dist. |
| | Action: | Granted 10 yrs. | |
| | Motion: | Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant pursue obtaining additional parking from adjacent properties as indicated in the plan of operation. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. | |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u> | <u>Premises Address/Ald. Dist.</u> |
|-----------------|--|---|------------------------------------|
| 32 | 23472 Dimensional Variance | Virginia B. Boyde, Property Owner Request to occupy the premises as a Community Living Arrangement (CLA) for 6 children. | 4508 N. 29th St. 1st Dist. |
| | Action: | Granted 3 yrs. | |
| | Motion: | Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of three (3) years, commencing with the date hereof. | |
| 33 | 23479 Dimensional Variance Denied | Latanya Johnson, Property Owner Request to occupy the premises as a group home with a maximum of 8 clients. | 5324 N. 56th St. 1st Dist. |
| | Action: | Denied | |
| | Motion: | Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski. | |
| | Vote: | 3 Ayes , 1 Nays – C. Doyle, 1 C. Zetley Abstained. | |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u> | <u>Premises Address/Ald. Dist.</u> |
|-----------------|--------------------------------|---|------------------------------------|
| 34 | 23519 Special Use | Raymond J. Rydz, Property Owner Request to construct an addition to the existing type 'B' restaurant. | 7000 W. Capitol Dr. 2nd Dist. |
| | Action: | Granted 10 yrs. | |
| | Motion: | Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That revised landscaping and screening plans are submitted to and approved by the Department of City Development prior to the issuance of any permits.</p> <p>5. That the applicant take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>6. That this Special Use and this Variance are granted for a period of ten (10) years, commencing with the date hereof.</p> | |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u> | <u>Premises Address/Ald. Dist.</u> |
|------------------------|---------------------------------------|--|---|
| 35 | 23556 Dimensional Variance | Gold A. Omereonye, Property Owner Request to occupy the premises as a adult family home (CLA). | 4670 N. 51st St. 2nd Dist. |
| | Action: | Granted 10 yrs. | |
| | Motion: | Board member Catherine Doyle was recused. Roy Nabors moved to grant the appeal. Seconded by Georgia Cameron. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the basement is not used for habitable space.</p> <p>5. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.</p> | |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u> | <u>Premises Address/Ald. Dist.</u> |
|-----------------|--------------------------------|---|------------------------------------|
| 36 | 23451 Special Use | Peter Wolbersen Property Owner | 2909 N. Humboldt Bl. 3rd Dist. |
| | | Request to convert a portion of the premises from a commercial use to residential. | |
| | Action: | Granted 10 yrs. | |
| | Motion: | Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant obtains a conversion permit, plumbing permit and complies with all State code requirements for residential dwelling units. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. | |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u> | <u>Premises Address/Ald. Dist.</u> |
|-----------------|--------------------------------|--|------------------------------------|
| 37 | 23554 Special Use | Russell Wasserman, Prospective Buyer Request to occupy the premises as an office. | 1637 N. Van Buren St. 3rd Dist. |
| | Action: | Granted 10 yrs. | |
| | Motion: | Board member Scott Winkler was recused. Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no clients visit the office. 5. That no more than 4 employees work in the office. 6. That this Special Use and this Variance are granted for a period of ten (10) years, commencing with the date hereof. | |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u> | <u>Premises Address/Ald. Dist.</u> |
|-----------------|--------------------------------|--|------------------------------------|
| 38 | 23537 Special Use | Jewish Family Services, Property Owner Request to occupy the premises as an office and social service facility. | 1300 N. Jackson St. 4th Dist. |
| | Action: | Granted 10 yrs. | |
| | Motion: | Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That proper signage and pavement marking is installed to reinforce the one-way pattern of the northerly parking area.</p> <p>5. That landscaping and screening plans are submitted which meet the intent of s.295-75.</p> <p>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p> | |
| 39 | 23371 Special Use | Prime Outdoor Group, LLC Towne Realty, Inc. John Vebber; Lessee Request to construct an off-premise sign on the premises. | 606 W. Wisconsin Av. 4th Dist. |
| | Action: | Adjourned | |
| | Motion: | This item was adjourned at the request of the petitioner and will be rescheduled for the next available hearing. | |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u> | <u>Premises Address/Ald. Dist.</u> |
|-----------------|--------------------------------|---|---|
| 40 | 23495 Special Use | Thorton's World Child Care Madeline Thorton; Lessee Request to occupy the premises as a day care center for 30 children, ages infant to 12 yrs, open 24 hours per day, 7 days a week. | 8950 W. Appleton Av. A/K/A 8948-52 W. Appleton Ave. 5th Dist. |
| | Action: | Granted 3 yrs. | |
| | Motion: | Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant control the exterior of the premises for security purposes, including the hiring of private personnel if necessary. 5. That the play space is not utilized after 7:00 p.m. 6. That the rental agreement for the play space on the adjacent property is submitted to the Board of Zoning Appeals prior to the issuance of any permits and that it remain in effect through out the term of the special use. 7. That the storefront windows remain as clear glass and are maintained in an attractive manner. 8. That signage is limited to the sign band above the storefront windows. 9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. | |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u> | <u>Premises Address/Ald. Dist.</u> |
|-----------------|----------------------------------|--|---|
| 41 | 23532 Dimensional Variance | Janice Kelly, Lessee Request to occupy the premises as a shelter care facility with a maximum of 8 clients. | 425 E. Garfield Av. A/K/A 423-25 E. Garfield Ave. 6th Dist. |
| | Action: | Granted 5 yrs. | |
| | Motion: | Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of five (5) years, commencing with the date hereof. | |
| 42 | 23497 Dimensional Variance | Milwaukee County Parks Department Susan L. Baldwin; Property Owner Request to construct a new park pavilion on the premises with a 35 foot setback. | 2828 N. Humboldt Bl. A/K/A 1321 E. Locust St. 6th Dist. |
| | Action: | Granted | |
| | Motion: | Scott Winkler moved to grant the appeal. Seconded by Roy Nabors. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. | |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u> | <u>Premises Address/Ald. Dist.</u> |
|-----------------|----------------------------------|--|---|
| 43 | 23560 Dimensional Variance | Milwaukee County Parks Lawrence Kenny, Associate Director; Property Owner Request to construct a parking lot in conjunction with proposed park pavilion. | 2828 N. Humboldt Bl. A/K/A 1321 E. Locust St. 6th Dist. |
| | Action: | Adjourned | |
| | Motion: | Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u> | <u>Premises Address/Ald. Dist.</u> |
|-----------------|--------------------------------|---|--|
| 44 | 23473 Special Use | Stoke's Nest Child Care/Preschool Center Marie Stokes; Lessee Request to occupy the premises as a day care center for 30 children ages 6 wks. - 12 yrs., from 6:00 a.m. to 11:30 p.m. Monday - Friday. | 2378 N. Martin L King Dr. A/K/A 2376-78 N. MLK Dr. 6th Dist. |
| | Action: | Granted 5 yrs. | |
| | Motion: | Catherine Doyle moved to grant the appeal. Seconded by Henry Syzmanski. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That a loading zone be obtained along W. Meinecke Avenue. 5. That parents be advised that it is illegal to park in the bus stop in front of the property. 6. That the storefront windows remain as clear glass and are maintained in an attractive manner. 7. That signage is limited to the sign band above the storefront windows. 8. That the petitioner pave an area for at least two vehicles to park off the alley. 9. That the play area is not utilized after 7:00 p.m. 10. That no loading or unloading occur at the front of the premises. 11. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. | |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u> | <u>Premises Address/Ald. Dist.</u> |
|-----------------|--------------------------------|---|------------------------------------|
| 45 | 23501 Special Use | Bulk Petroleum Corporation Darshan S. Dhaliwal; Property Owner | 425 E. Capitol Dr. 6th Dist. |
| | | Request to raze the existing facility and construct a new motor vehicle pumping station with a convenience store on the premises. | |
| | Action: | Granted 10 yrs. | |
| | Motion: | Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the billboard sign is eliminated.</p> <p>5. That site illumination is controlled to prevent glare onto adjacent streets.</p> <p>6. That the petitioner agrees to work with the Department of City Development staff to modify the pillar elements of the fence proposed as part of the landscaping and screening plan received by the Board of Zoning Appeals on April 25, 2001.</p> <p>7. That the applicant take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p> | |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u> | <u>Premises Address/Ald. Dist.</u> |
|-----------------|-------------------------------|---|---|
| 46 | 23446 Special Use | Diljeet S. Khahra Property Owner Request to continue occupying the premises as a motor vehicle pumping station & convenience store. | 2905 W. Fond du Lac Av. 7th Dist. |
| | Action: | Adjourned | |
| | Motion: | Henry Szymanski moved to adjourn the appeal. Seconded by Roy Nabors. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| 47 | 23452 Dimensional Variance | Glenn A. Denninger Lessee Request to create a third dwelling unit in what was previously a storefront. | 3600 W. Rogers St. 8th Dist. |
| | Action: | Adjourned | |
| | Motion: | This item was adjourned at the request of the petitioner and will be rescheduled at the next available hearing. | |
| 48 | 23515 Special Use | David J. Cunningham Day Development, LLC; Other Request to construct and occupy a portion of the premises as a motor vehicle pumping station and convenience store. | 6001A N. Teutonia Av. A/K/A 6001, 6033, 6043 N. Teutonia Ave. 9th Dist. |
| | Action: | Adjourned | |
| | Motion: | Catherine Doyle moved to adjourn the appeal. Seconded by Henry Szymanski. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u> | <u>Premises Address/Ald. Dist.</u> |
|-----------------|----------------------------------|--|--|
| 49 | 23521 Dimensional Variance | Our Lady of Good Hope Catholic Church Property Owner Request to construct a 63 sq. ft. sign on the premises. | 7152 N. 41st St. A/K/A 7140 N. 41st St. 9th Dist. |
| | Action: | Granted | |
| | Motion: | Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof. | |
| 50 | 23541 Dimensional Variance | Home Living Services, Inc. Margaret Mims; Lessee Request to occupy the premises as an Adult Family Home for a maximum of three adults. | 8417 N. Servite Dr. A/K/A 8417 N. Servite Dr., Apt. #102 9th Dist. |
| | Action: | Adjourned from a prior hearing | |
| | Motion: | Board member Catherine Doyle was recused. Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| 51 | 23401 Appeal of an Order | R. L. McNeely Property Owner Request to appeal the order of the Commissioner of Neighborhood Services determining the use of the premises to be a three-unit dwelling. | 3907-09 N. Sherman Bl. 10th Dist. |
| | Action: | Adjourned | |
| | Motion: | Catherine Doyle moved to adjourn the appeal. Seconded by Donald Jackson. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u> | <u>Premises Address/Ald. Dist.</u> |
|-----------------|-------------------------------|--|---|
| 52 | 23533 Use Variance | Day Care Advocates of Milwaukee, Inc. Kimberly Hubbard; Lessee Request to occupy a portion of the premises as a social service facility. | 3421 N. 35th St. 10th Dist. |
| | Action: | Adjourned from | |
| | Motion: | This item was adjourned at the request of the alderman and will be rescheduled at the next available hearing. | |
| 53 | 23516 Dimensional Variance | C. Brian Swamp and Michelle R. Swamp Property Owner Request to split a lot creating a rear setback shortage on the premises. | 3575 S. 81st St. 11th Dist. |
| | Action: | Granted | |
| | Motion: | Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |
| | Conditions of Approval: | 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That petitioner must obtain a Certified Survey Map from the Common Council. 5. That this Variance is granted to run with the land. | |
| 54 | 23553 Dimensional Variance | Sonja Nottelson/John Ross Property Owner Request to occupy the premises as an Adult Family Home. | 2662 S. 69th St. A/K/A 2662-64 S. 69th St. 11th Dist. |
| | Action: | Adjourned | |
| | Motion: | This item was adjourned at the request of the alderman and will be rescheduled at the next available hearing. | |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u> | <u>Premises Address/Ald. Dist.</u> |
|-----------------|--------------------------------|--|--|
| 55 | 23445 Special Use | Lloyd Waters, Jr. Burleigh Brake & Alignment; Property Owner Request to occupy the premises as auto sales & repair (an expansion of present business at 9119 W. Burleigh St.). | 9109 W. Burleigh St. A/K/A 9101-05, 9107,9113, & 9115 W. Burleigh St. 5th Dist. |
| | Action: | Denied | |
| | Motion: | Scott Winkler moved to deny the appeal. Seconded by Catherine Doyle. | |
| | Vote: | 4 Ayes, 0 Nays, 1 C. Zetley Abstained. | |

Other Business:

Board member Scott Winkler moved to approve the minutes of the May 3, 2001 meeting. Seconded by Board member Henry Szymanski. Unanimously approved.

The Board set the next meeting for June 21, 2001.

Board member Scott Winkler moved to adjourn the meeting at 8:40 p.m. Seconded by Board member Catherine Doyle. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board